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St. Helena

Working paper prepared by the Secretariat

Contents

		Paragraphs	Page
I.	General	1–4	3
II.	Historical background	5	3
III.	Constitutional and political background and developments	6–15	4
IV.	Economic conditions	16–41	5
	A. General	16–20	5
	B. Development projects	21–24	6
	C. Agriculture and fisheries	25–27	7
	D. Transport, communications and utilities	28–35	8
	E. Banking and credit	36	9
	F. Tourism	37–41	9
V.	Social conditions	42–53	10
	A. General	42–44	10
	B. Employment	45–48	11
	C. Education	49–50	12
	D. Environment	51–53	12
VI.	Dependencies of St. Helena	54–75	12
	A. Ascension	54–61	12

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1. General ... 54 12
2. Constitutional and political status ... 55-60 13
3. Economic and social conditions ... 61 14
B. Tristan da Cunha ... 62-68 14
1. General ... 62-63 14
2. Constitutional and political status ... 64-67 14
3. Economic and social conditions ... 68 15
VII. Future status of the Territory ... 69-74 15
A. Position of the administering Power ... 69-72 15
B. Position of the Territory ... 73-74 16
VIII. Consideration of the question by the United Nations ... 75 16

I. General[1]

1. The Territory of St. Helena, which is administered by the United Kingdom of Great Britain and Northern Ireland, consists of the island of St. Helena and two dependencies: the island of Ascension and a group of small islands forming the dependency of Tristan da Cunha.

2. Situated in the South Atlantic Ocean, approximately 1,900 kilometres from Angola and 2,900 kilometres from Brazil, St. Helena is a small island of volcanic origin. The Territory comprises a total land area of 412 square kilometres: Ascension lies 1,200 kilometres to the north-west of St. Helena, and Tristan da Cunha and the other small islands are approximately 2,400 kilometres to the south. The island of St. Helena, where Jamestown, the capital of the Territory, is located, is the largest island, with an area of 122 square kilometres. The islands enjoy a tropical climate tempered by trade winds that blow throughout the year. They have distinctive flora and fauna, with many rare or endangered species.

3. The inhabitants of St. Helena are known as "Saints" or St. Helenians and are of mixed origin (see para. 5 below). According to the 1998 census, 5,010 people lived on St. Helena. However, at July 2003, the St. Helena Statistics Office estimated that there were between 3,750 and 3,800 inhabitants on the island, meaning that a quarter of the population had left in just over five years. The Office noted that, following the reintroduction of granting British citizenship for Saints in 2002, the island had experienced an exodus. In 2005, the population was estimated at 4,000 inhabitants.[2] While it is difficult to provide an exact forecast of the future population, it is likely that the high emigration numbers will be reduced, since most people with a desire to leave the island have already done so and the population in the age groups most likely to leave has been depleted.[3] Approximately one third of the population resides in Jamestown. English is the official language of St. Helena. Access to St. Helena is provided by the RMS *St. Helena*, which serves St. Helena, Ascension, Walvis Bay, Namibia and Cape Town, South Africa. The nearest airstrip is located on Ascension.

4. Following extended consultation between the Government of St. Helena and the Department for International Development of the Government of the United Kingdom, it was announced in March 2005 that the Department would provide funding for the construction of an international airport on St. Helena. The airport should be operational by 2010, when the RMS *St. Helena* is expected to be retired from service.[4]

II. Historical background

5. St. Helena was discovered in 1502 by the Portuguese navigator Juan da Nova on St. Helena Day, 21 May. It was an uninhabited island. Its existence was kept secret until the English seafarer Thomas Cavendish came upon it in 1588. In 1633 the Netherlands claimed the island but did not occupy it. In 1658 a charter from the Lord Protector of Britain authorized the British East India Company, to colonize and fortify the island, which was subsequently settled by the English. Slaves were brought from Africa, Madagascar and the Far East. Chinese and some Indian indentured labourers were brought to work on the island. King George II issued a charter to the East India Company setting out how the island should be fortified and

governed. In the charter, the King also gave the inhabitants full English citizenship in perpetuity. Napoleon Bonaparte was exiled to St. Helena from 1815 until his death in 1821. St. Helena became a Crown Colony in 1834. In May 2002, St. Helena celebrated the 500th anniversary of its discovery.

III. Constitutional and political background and developments

6. The St. Helena Constitution Order of 1988, which entered into force on 1 January 1989, replaced the Constitution of St. Helena and dependencies introduced on 1 January 1967. Under the 1988 Constitution, the Governor and Commander-in-Chief, who is appointed by the Queen, administers the Territory. He is assisted by an Executive Council and a Legislative Council.

7. The Legislative Council comprises the Speaker, three ex officio members (the Chief Secretary, the Financial Secretary and the Attorney General) and 12 elected members. The Executive Council, which is presided over by the Governor, consists of the ex officio members and five of the elected members of the Legislative Council. Although a member of the Legislative Council and the Executive Council, the Attorney General has no vote in either body.

8. Elections are held by secret ballot, at intervals of not more than four years, by universal suffrage for those aged 18 years and over. While two political parties exist, they have been inactive since 1976 and elections have been held on a non-partisan basis. The most recent general elections were held on 31 August 2005, when 12 candidates representing two constituencies were elected to the Legislative Council. The elections marked a change in the number of electoral districts. Two districts (East and West) replaced the former eight constituencies.[5] Michael Clancy, appointed in October 2004, continues his tenure as Governor of St. Helena, Ascension and Tristan da Cunha.

9. The Constitution of St. Helena provides for the separation of the judiciary from the Government. The legal system comprises a Court of Appeal, a Supreme Court and a Magistrate's Court, with a final appeal procedure lying open to the Privy Council of the United Kingdom. Local legislation is generally applied. However, where no local legislation has been enacted, the laws of the United Kingdom are applied to the extent applicable to local circumstances.

10. In January 1983, when the British Nationality Act came into force, St. Helenians had their citizenship rights taken away. From that time until 2002, the islanders worked through the Legislative Council and the Citizenship Commission for the restoration of their rights. Following the entry into force of the United Kingdom Overseas Territories Act of May 2002, which provides British citizenship to the people of the United Kingdom's Territories, St. Helenians regained their right to British citizenship. Under the Act, St. Helenians may hold British passports and may also work anywhere within the European Union.

11. Extensive negotiations and public consultations in relation to constitutional reform and modernization have been carried out in St. Helena over the past five years. Desiring a system of government that would give more responsibility to locally elected representatives, the Government of St. Helena entered into discussions with the United Kingdom and engaged the services of an independent

constitutional adviser, Alison Quentin-Baxter, to assist with examining options for constitutional reform and drafting a new constitution for the Territory.

12. In October 2002, following consultations with Ms. Quentin-Baxter, the Legislative Council announced its proposed constitutional changes, which included a three-tier system of ministerial government (comprising a Legislative Assembly, a Cabinet (with the Chief Minister as President) and an Executive Council (with the Governor presiding)), Legislative Assembly elections conducted partly on a multi-constituency and partly on an island-wide basis, the popular election of the Chief Minister and the inclusion of a bill of rights, to ascertain whether they were well supported by the public.[6]

13. The final draft constitution was completed following additional rounds of negotiations in 2003 and 2004. The new constitution proposed three main changes to the existing constitutional system in St. Helena:

- Government by reference to the partnership values
- New guarantees of fundamental human rights
- A two-tier ministerial form of government

For further details on the proposed constitutional changes, see the previous working paper (A/AC.109/2005/14, paras. 11-25).

14. Following extensive negotiations and public consultations, a consultative poll was held on 25 May 2005 on St. Helena to determine whether St. Helenians wanted to adopt the new constitution. The United Kingdom had stressed that it would not bring the new constitution into force until it received a clear signal from St. Helenians that they wished to adopt the draft constitution.

15. St. Helenians who voted in the consultative poll rejected the proposal by 52.6 per cent against and 47.2 per cent in favour. The new ministerial system of government was particularly controversial, whereas the human rights chapter and the partnership values declaration received more public support.[7] Members of the Legislative Council resolved to continue constitutional reform by incorporating the popular changes into the framework of the existing Constitution and working to streamline the current Government.

IV. Economic conditions

A. General

16. In 2005, St. Helena continued to face the economic challenges associated with a shrinking tax base, an ageing population and the exodus of skilled individuals leaving in pursuit of higher wages offshore. St. Helena's heavy dependence on aid from the United Kingdom and other external funding for capital and technical investment allows the population to enjoy a higher standard of living than local resources would otherwise be able to sustain. The budgetary support from the United Kingdom is used to meet essential public services and to subsidize the Territory's dedicated shipping service.[8] In real terms, aid from the United Kingdom has declined over the past decade, and this has had an effect on the St. Helena economy. As well as supporting the Government's annual budget, much of the

capital investment in the Territory is funded through the Department for International Development.[9] In the budget for the 2004/05 fiscal year, expenditures were estimated at £18.561 million, while local revenue was estimated at £5.843 million. Almost the entire £12.718 million shortfall was expected to come from grants-in-aid from the United Kingdom.[10]

17. A scheduled visit to St. Helena by Department for International Development representatives to discuss the 2005/06 aid package was held in March 2005, after some delay. According to information provided by the administering Power, the total budgetary aid, development assistance and shipping support from the United Kingdom Government was estimated to be £13.126 million in 2005/06. The United Kingdom approved the new aid package in June 2005.[11]

18. During budget discussions with the Department for International Development and the Foreign and Commonwealth Office, the St. Helena Government was guided by the six strategic objectives that had been approved following consultations with the population in 2003. These objectives were:

- Improved access
- Improved standard of education
- Development of a sustainable and vibrant economy
- Development of a healthy community in a safe environment
- Promotion and development of a sustainable workforce
- Continuing development and establishment of democratic rights, human rights and self-determination of the people

19. In 2003, the Foreign and Commonwealth Office established an economic diversification programme budget to assist the Overseas Territories to diversify and enhance their economic base and thereby lessen their dependence on one or two sectors. The programme provides a source of funding to support small enterprises and entrepreneurial talent to launch new business activities in the Non-Self-Governing Territories, in particular, but not exclusively, in non-traditional areas. Financing from the programme budget has been used to set up a small business expansion scheme in St. Helena, worth £150,000 per annum for three years.[12] The programme is managed by the St. Helena Development Agency. In April 2005, the Agency approved a new loan policy, which aims to fund projects that contribute to the growth and diversification of St. Helena's economy.[13]

20. In addition, in order to facilitate private sector development, the St. Helena Government established policies that focus on creating new enterprises, privatizing existing State-owned assets and vocational training.[14] According to the administering Power, the private sector is projected to grow as a proportion of the total economy from 30 per cent in 2004 to 40 per cent in 2015.[15]

B. Development projects

21. St. Helena also receives assistance from the United Nations Development Programme (UNDP). The second UNDP country cooperation framework for St. Helena (see DP/CCF/STH/2), covering the period from 2001 to 2004, was extended

to cover 2005 and 2006. For further details on UNDP assistance, see A/AC.109/2005/14, paragraph 35.

22. In addition to the country cooperation framework, in 2005, UNDP, in cooperation with the Employment and Social Security Department of the St. Helena Government, launched a new project focusing on the training and re-training of the long-term unemployed.[16] For further details, see paragraph 46 below.

23. St. Helena is also eligible to receive funds from the European Union; between 1995 and 2003, it was allocated €14.35 million.[17] In July 2004, the European Commission announced that €8.6 million had been allocated to St. Helena from the European Development Fund for the period from 2004 to 2007 to improve access to the island, promote economic development and contribute to the reduction of aid dependency.[18]

24. In 2005, several major infrastructure projects were made possible on St. Helena thanks to funding from the Department for International Development and the European Development Fund. The projects included road rehabilitation and improvement and the installation of two new 1-megawatt diesel generators. In addition, existing generators were successfully refurbished and three wind turbines installed. Although the turbines provide significant cost savings, they are, according to information from the administering Power, unreliable. Upcoming development projects include a wharf improvement project, currently under review by the European Development Fund. The wharf project follows the 2005 cliff stabilization above the wharf and other key areas of Jamestown p ne to rockfall. The Department for International Development has also approved £1.1 million to upgrade water supply systems, which should improve security of supply and the quality of water on St. Helena. The waste disposal project is in the implementation phase, while vocational training and water catchment hydrology have been completed. Other projects that either await approval from the Department for International Development or are currently in the planning stages include a wastewater project, the upgrading and extension of the electricity network, offshore fishing and the installation of additional wind turbines.[19]

C. Agriculture and fisheries

25. Fisheries are an important sector in St. Helena's economy. In 2004, two St. Helenian fishing vessels developed the capacity to fish beyond the 12-mile inshore waters of the island's 200-mile exclusive economic zone. There are 30 fishing boats with commercial licences. The local fishermen sell their catch to the St. Helena Fisheries Corporation. Fish catches were up significantly in 2004 and 2005 amounting to 640 tons.[20] A number of international companies have been granted licences to fish in the waters off St. Helena and Ascension and these licences have at times contributed up to 20 per cent of all local revenue.

26. St. Helena has developed a reputation for the high quality of its coffee and fish. St. Helena's coffee is considered one of the finest premium coffees in the world. Its wild fish have are the first to receive organic certification from the Soil Association, the United Kingdom's leading campaigning and certification organization for organic food and farming.[21]

27. In August 2005, a drip irrigation project was completed, connecting 69 farmers to St. Helena's new irrigation system.[22]

D. Transport, communications and utilities

28. St. Helena has approximately 120 kilometres of surfaced roads and 20 kilometres of earth roads. A public transport system was launched in November 2003 by the St. Helena Government.

29. In 2005, a considerable amount of road work was completed. The road projects included resurfacing 90 kilometres of highway, patching 56 kilometres of road, cleaning 329 kilometres of road verge and building 300 metres of safety railing and 120 square metres of retaining walls. Two district and four community roads were also completed during this period.[23]

30. The only port, Jamestown, provides good anchorage, although the building of a breakwater would allow passengers of large cruise vessels to come ashore in all types of weather. As previously mentioned, since there is currently no airport or airstrip on the island, its only link with the outside world continues to be the RMS *St. Helena*, owned and chartered by the St. Helena Shipping Company, Ltd., which plies between St. Helena, Ascension, Walvis Bay, Namibia and Cape Town, South Africa.

31. The planned international airport on St. Helena will be funded by the Department for International Development subject to satisfactory bids for a contract to design, build and operate as well as a rigorous environmental impact assessment. On 19 October 2005, an official contract notice was published in the Official Journal of the European Union and various other publications in the United Kingdom, South Africa and St. Helena, with a deadline for tenders set for 16 December 2005.[24] The cost of undertaking such a project has not been disclosed, as the Department considered that disclosure of cost estimates could prejudice the competitive tender process. However, recent estimates for the airport construction are reported by the media to be around £80 million.[25]

32. The March 2005 announcement by the Department for International Development that it would fund the construction and operation of an international airport on St. Helena was welcomed in the Territory, although some Saints have expressed their concern about the environmental impact on the island. The proposed airport will be located on Prosperous Bay Plain on the eastern side of the island. The airport will have a runway 2,250 metres long, which is sufficient to support the landing of long-haul jet aircraft, including the Airbus A320 and Boeing 737-800.[26] The airport is expected to service 7,000 passengers (including 1,500 tourists) in the first year and 15,000 passengers (including 8,000 tourists) by 2015.

33. The Development Board was formed in June 2005 to oversee the air access project. The Board consists of representatives from the Government of St. Helena, its private sector and civil society. The Board's main role is to advise the Executive Council on development policies and strategies to ensure successful completion of the airport. The main areas of interest identified by the Board are policies concerning immigration, landholding, tax, development and employment.[27] Also assisting in the airport project is the Air Access Project Team. The role of the Team has changed over the course of 2005, from policymaking to facilitating the timely

and cost-effective implementation of the project. Activities include liaising with other project teams (e.g. the Department for International Development Access Project Team), the St. Helena Development Board, the Government of St. Helena and other key stakeholders.[28]

34. The Government of St. Helena will also receive input on the Air Access Project from a Harvard University team, which carried out assessments for the Territory's legal, lands and planning departments in 2005.[29]

35. The Airport Development Bill was scheduled to be presented to the Legislative Council in January 2006. The Bill was to include provisions necessary for the airport's construction.[30] On the strength of the planned airport, the United Kingdom plans to phase out all financial assistance to St. Helena by 2030.[31]

E. Banking and credit

36. There have been no further developments reported in this sector since the previous working paper (A/AC.109/2005/14).

F. Tourism

37. The St. Helena Tourist Office has been boosting its efforts to market St. Helena as a tourist destination. Its 10-year tourism strategy focuses on four essential elements: planning, investment, delivering quality tourist services and promotion. Leading international tourism consultants have been working with St. Helena representatives to develop a strategy that encompasses all four elements.[32] In 2005, a trade mission from St. Helena visited Namibia to meet with potential investors and to explore export/import and tourism opportunities with that country.[33] The same year, St. Helena experienced an increase in so-called environmental tourism, thanks to the Territory's unique attractions.[34]

38. In February 2005, the Government announced that, in conjunction with the St. Helena Leisure Company (Shelco), it would be working to achieve the following objectives:

- A self-sufficient tourist-based economy
- Policies to generate high-value, low-volume tourism
- Maintenance and enhancement of the environment to support the development of tourism
- The creation of a flagship resort, comprising a five-star hotel, golf course and villas
- The setting-up of joint public/private sector arrangements, including tourist facilities and essential services to help promote tourism in the Territory.[35]

39. In July 2005, Shelco announced that it planned to invest £40 million in the Territory. One of Shelco's main projects on St. Helena was a resort with a golf course. Shelco projected that the construction and maintenance of the resort would generate 200 construction jobs for four years and 325 long-term jobs thereafter.[36] However, local hotel proprietors have expressed fears that their livelihood would be threatened by the planned development.[37] In January 2006, Shelco's application to

purchase land for the resort development was deferred pending the adoption of new tourism and investment policies.[38]

40. In September 2005, a Harvard University team carried out a study that analysed the numerous tourism development proposals submitted to the Government of St. Helena. The main component of the study was a resource analysis based on the geographical mapping of St. Helena and other features related to potential tourism and other economic development.[39] One aspect of the Harvard study focused on the amount of potential building land on St. Helena. The study concluded that as long as building density was fairly high, there would be plenty of land to go around. This conclusion allayed St. Helenians' fears that there might not be enough land once the tourism industry developed. The study also recommended encouraging private sector investment and changing the current immigrant landholding laws to maximize the benefits anticipated by the development of the tourism industry.[40]

41. The ongoing discussion about the anticipated growth of the tourism industry on St. Helena highlighted two potential challenges which St. Helenians might face in the future: reconciling the economic benefits with sustainable development and the life cycle of tourism destinations and the impact on the local population and its economy.[41] The issue of sustainable development has been championed by a new non-governmental organization known as The Voice. Formed in response to the March 2005 announcement of the airport construction, the organization highlighted the availability of drinking water, fishing in the waters around the island and a potentially growing gap between the rich and the poor as some issues for the St. Helena Government to consider when setting the development agenda.

V. Social conditions

A. General

42. The team of representatives from the Department for International Development and the Foreign and Commonwealth Office who negotiated the country policy plan for 2001 to 2003 stated that, measured by international norms, St. Helena is a middle-income country with few signs of real material poverty. The team added that this situation is largely the result of the all-encompassing Government safety net, which guarantees everyone a minimum standard of living, and to social networks, which encourage the distribution of income among kin, most notably in the form of remittances. The country policy plan identifies two particularly vulnerable sectors, namely, the increasing number of elderly people (expected to be 24 per cent of the population by 2010), who live on social benefits, and the disabled, who have special, unmet needs. It also points to a "culture of dependency" on the island, partly as a consequence of the Government's role as the main employer and almost the only provider of services.

43. The ageing population has created an increasing need for substantial investment in a new elderly care programme that includes sheltered housing and an elderly community care complex. There is also an increased prevalence of chronic health conditions, with diabetes and hypertension affecting about 8 per cent and 25 per cent of the population, respectively.[42] In January 2006, a visiting cardiologist

noted that the high incidence of obesity on St. Helena was the main reason behind the high rate of hypertension.[43]

44. In 2005, the Air Access Project sparked a debate over the potential introduction of HIV/AIDS to St. Helena from an increased number of visitors and overseas construction workers. Currently, there are no known cases of HIV/AIDS in the Territory. Proposed HIV screening was discussed at the Executive Council meeting held on 17 January 2006. After much debate and consideration, the Executive Council agreed that HIV screening should not be part of a routine examination of visitors and workers. They agreed instead to introduce other measures, such as an awareness programme and health education.[44]

B. Employment

45. The public sector remains the dominant employer in St. Helena. In October 2003, the Government launched a long-term unemployment policy in which the Employment and Social Security Department has been working closely with the unemployed to identify their training needs. In March 2005, there were 90 people still employed on the old community work scheme and four people on the new employment scheme.[45]

46. In 2005, UNDP implemented a project whose overall objective was to reduce long-term unemployment on St. Helena through a joint private and public sector training and work experience scheme. The scheme was devised to help unemployed St. Helenians find jobs, improve their prospects of remaining employed and enhance their employment prospects.[46]

47. Offshore employment has steadily increased and, with it, remittances to the Territory. Some 30 per cent of the island's workforce is employed on Ascension, the Falkland Islands (Malvinas) or in the United Kingdom; their remittances to St. Helena total £23 million per year.[47] However, as virtually all contracts for offshore employment are for unaccompanied workers, there is a significant social burden because of the dislocation of families. In addition, the loss of trained staff to better-paid offshore employment makes it necessary to bring in more expatriate workers, in particular nurses and teachers. (One case mentioned by the media in October 2005 described a coffee producer who had to recruit 10 workers from Namibia and Germany to work on his coffee plantation.[48]) The St. Helena strategic review for the period from 2000 to 2010 showed that remittances from offshore workers were not sustainable and very clearly spelled out the dire consequences if people were not put at the centre of development, stating that no community could prosper if its biggest export was its people.[49]

48. The St. Helena Public Service Association came into existence in April 2005, with its main goal being to aid, assist and promote the welfare and well-being of its membership. The Association is similar to a workers' union and represents the interests of St. Helena Government employees.[50]

C. Education

49. Education is compulsory and free for children between 5 and 15 years of age. In 2005, there were seven schools in operation in the Territory attended by a total of 784 pupils.

50. The introduction of British standardized tests in English and mathematics in the first and middle sections of school have shown that the majority of pupils score lower than their British counterparts. Results from the secondary school examination for students 16 years of age and over show that these pupils are also seriously underachieving, with fewer than 12 per cent of them each year attaining the minimum five qualifying grades for the general certificate of secondary education or its equivalent, compared with 40 per cent in the United Kingdom. These problems have been attributed in part to the high level of staff turnover and staff members' lack of qualifications and experience.[51]

D. Environment

51. St. Helena has an environmental conservation programme aimed at preserving endangered species and the diversity of habitats, which are an important part of the Territory's heritage and could potentially increase tourism. The World Conservation Union lists 40 per cent of St. Helena's plants as endangered, while other conservationists insist that the actual proportion is higher. In September 2001, the United Kingdom and its Territories adopted a set of environment charters setting out for the first time the mutual responsibilities of both regarding the environment.

52. In 2005, scientists reported an alarming 40 per cent decline in the number of wirebird, a rare species found only on St. Helena.[52] Two possible explanations were offered: the degradation of the bird's grassland habitat, caused by the declining numbers of grazing animals; and an increase in the number of predators, such as cats, rats and myna birds. Possible ways being considered to rebuild the wirebird population include allowing animals to graze more heavily while controlling the predator populations.

53. In December 2005, the United Kingdom engineering and environmental consulting company Faber Maunsell Ltd. conducted a preliminary study on the impact of the new airport on St. Helena's environment.[53] Details of the initial report have not yet been made available. Faber Maunsell will continue its monitoring activities for the duration of airport development works to mitigate any potentially negative environmental effects.

VI. Dependencies of St. Helena

A. Ascension

1. General

54. Ascension was discovered by the Portuguese in 1501 and "found" again on Ascension Day in 1503 by Alphonse d'Albuquerque, who named the uninhabited island. Ascension covers an area of 90 square kilometres and is of volcanic origin. In 1815, when Napoleon was a prisoner on St. Helena, a small British naval garrison

was stationed on Ascension. The island remained under Admiralty supervision until 1922, when it was made a dependency of St. Helena. From then until 1964, the island was managed by the Eastern Telegraph Company (renamed Cable and Wireless in 1934). In 1964, in view of the plans to establish British Broadcasting Corporation (BBC) and Composite Signal Organization stations, an Administrator was appointed. During the Second World War, the United States Government built the Wideawake airstrip on the island. In 1957, a United States Air Force presence was re-established and the airstrip and ancillary facilities enlarged. It is now the south-east tracking station for the United States Air Force Eastern Test Proving Ground. In 1982, it became the intermediate stop for Royal Air Force flights to and from the Falkland Islands (Malvinas). British and United States officials signed the Wideawake Agreement in 2003, which opened up the airstrip to civilian charter traffic.

2. Constitutional and political status

55. Executive authority for the Territory is exercised by the Governor of St. Helena. A resident Administrator is responsible to the Governor. As there have never been any indigenous inhabitants, the population (some 1,100 people) is made up of the employees of companies established on the island and their families. Until 2001, all administrative and public services were provided by Ascension Island Services, a joint venture partnership between the BBC World Service and Cable and Wireless, directed by a London Board of "Users". Owing to changed geopolitical priorities and rising salaries, the London Board decided in 1999 to disband the joint venture by 31 March 2001. As at that date, responsibility for services was undertaken by a new, transitional Ascension Island Government, consisting of the Governor of St. Helena and the Administrator of Ascension. Since then, the islanders have been engaged in deciding how to broaden their political and legislative status.

56. Throughout 2001 and 2002, there was considerable discussion among the inhabitants of Ascension about the future shape of their government. Following lengthy public discussions and controversial exchanges with the administering Power on the modalities of democratic government that Ascension could adopt, a referendum was held on 23 August 2002 in which the inhabitants were asked to choose between two models: either a local island council or a local island council with certain services in areas such as economic development, health and education, managed by an inter-island council that would include members from St. Helena. Ninety-five per cent of the voters in the referendum favoured the first option, namely, an island council having financial and managerial responsibility for the services provided to the island.

57. Still to be developed, however, is another governmental body, a joint consultative forum, which would harmonize the relationship between St. Helena and Ascension on matters of common interest. In this respect, the independent constitutional adviser, Alison Quentin-Baxter, who visited Ascension in September 2002, recommended that the people of Ascension and St. Helena take their inspiration from similar cooperative arrangements among small independent States in the Eastern Caribbean, among small Pacific island States and between Australia and New Zealand.[54]

58. Although the proposed constitutional changes did not receive adequate public support on St. Helena following the consultative poll in May 2005, constitutional reform is still a subject of discussion on the dependencies.

59. The most recent general elections took place on 16 November 2005, when seven candidates were elected to the Island Council.[55]

60. In October 2005, Ascension participated in the Overseas Territories Consultative Council for the first time since the Council was created in 1999.

3. Economic and social conditions

61. A joint meeting between the Foreign and Commonwealth Office/Ministry of Defence team and the Ascension Island Council was held in 2005. The meeting, which was chaired by Governor Michael Clancy, addressed the much-debated issue of right of abode and property ownership on Ascension.[56] The final decision on the issue was reached in January 2006, when the United Kingdom Government decided that the permanent right of abode and property ownership would not be granted. One of the main concerns for the United Kingdom Government was the tax liabilities that could fall on British taxpayers.[57]

B. Tristan da Cunha

1. General

62. The dependency of Tristan da Cunha[58] is composed of four islands: the main island, Tristan da Cunha; Gough; Inaccessible; and Nightingale. Tristan da Cunha, a round volcanic island with an area of 98 square kilometres, is the most remote inhabited island in the world. Its closest neighbours are St. Helena, 2,334 kilometres to the north, and Cape Town, South Africa, 2,778 kilometres to the east. Its population was evacuated to the United Kingdom when the volcano last erupted in 1961, but returned in 1963. The only settlement on the island is the capital, Edinburgh of the Seven Seas.

63. According to the Administrator, as at December 2004, the population consisted of 275 people divided into approximately 100 households. A team of South African meteorologists live on Gough. Inaccessible and Nightingale are uninhabited.

2. Constitutional and political status

64. Following the passage of the British Overseas Territory Bill in 2002, the people of Tristan da Cunha have full British citizenship and the right of abode in the United Kingdom.

65. Executive authority for Tristan da Cunha is exercised by the Governor of St. Helena. A resident Administrator is appointed by the Governor and is responsible to him. The Administrator is advised by an Island Council, led by the Chief Islander and comprising eight elected members (including at least one woman) and three appointed members. Elections are held every three years. All registered voters over 18 years of age are eligible to vote.

66. Tristan da Cunha has its own legislation, but St. Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make

necessary. There is one full-time police officer and three special constables. The Administrator is the Magistrate.

67. In October 2005, Tristan da Cunha participated in the Overseas Territories Consultative Council for the first time since the Council was created in 1999.

3. Economic and social conditions

68. No further developments in this area have been reported since the report on the issue contained in the 2003 and 2004 working papers (see A/AC.109/2003/4 and A/AC.109/2004/9).

VII. Future status of the Territory

A. Position of the administering Power

69. In his statement at the 2nd meeting of the Fourth Committee, held on 5 October 2005, at the sixtieth session of the General Assembly (see A/C.4/60/SR.2), the representative of the United Kingdom said the consultation process between his Government and its 10 overseas Territories was continuing and that the seventh annual meeting of the Overseas Territories Consultative Council would be held in London in October 2005. The Council provided a forum for dialogue between democratically elected chief ministers and their equivalents from the Territories and the Ministers of the Government of the United Kingdom on a range of issues, including the relationship between the United Kingdom and its overseas Territories, constitutional modernization, good governance, environmental matters and the international obligations of the United Kingdom.

70. The Government of the United Kingdom welcomed the progress that was being made in the constitutional review process. Useful discussions had been held between the Government of the United Kingdom and representatives of Gibraltar, Montserrat and the Turks and Caicos Islands. In St. Helena, a consultative poll had rejected a revised draft constitution and that Territory was currently considering its next steps. Extensive discussions had been held with the Independence Commission set up in Bermuda to look into the implications of any move towards independence. At the Commission's request, the Government of the United Kingdom had drafted a paper setting out its position on a number of issues, which was currently being studied by the Government of Bermuda.

71. The representative of the United Kingdom pointed out that the Government continued to support capacity-building projects and to promote sustainable development and good governance in its overseas Territories. The Overseas Territories Environment Programme continued to support the implementation of the environmental charters for the overseas Territories. The Government likewise continued to support its overseas Territories in their efforts to strengthen relations with the European Commission and to improve access to the trade and economic and developmental aid provisions of the Overseas Association Decision of the European Union and the overseas countries and territories. It had also continued its informal cooperation with the Special Committee; in that connection, a visit had been made to Bermuda with a view to consider progress towards the delisting of that territory.

72. Regarding the meeting of the Overseas Territories Consultative Council in London in October 2005, in the opinion of the Government of the United Kingdom, a useful discussion had been held on the relationship between the United Kingdom and the Overseas Territories, as well as on progress on constitutional modernization, which continued to take account of the Territories' particular circumstances. Other areas covered included external relations, good governance, law enforcement, financial services, transport, sustainable development and relations with the European Union. The Department for International Development had organized round tables in association with the Overseas Territories Consultative Council on human rights and disaster management.

B. Position of the Territory

73. As noted above (paras. 14 and 15), a consultative poll was held in St. Helena on the proposed constitutional changes that had been discussed for a number of years. Although the proposed constitutional changes did not receive sufficient support to be implemented, the territorial Government is considering its next step.

74. The Legislative Councillor of St. Helena, Eric George, participated in the Caribbean regional seminar organized by the Special Committee and held in Canouan, St. Vincent and the Grenadines, in May 2005. Mr. George asked that the Special Committee take up the following points of concern with the British Government:

- The required infrastructure to support the airport project should not be funded from St. Helena's annual aid programme. To expect this infrastructure to be funded from the island's already stretched financial provision would only accelerate the exodus of St. Helenians. If air access were to deliver sustainable economic development, it would be prudent to implement the long-awaited programme of refurbishment and updating of its present essential services.
- The policy of cost recovery as desired by the Department for International Development should be reviewed. In St. Helena's present circumstances, it is difficult to see how such cost recovery could be achieved, given the current demographic trends on the island.
- The right to nationality, as set forth in article 15 in the Universal Declaration of Human Rights, should be included in St. Helena's new constitution, and not a "St. Helenian status clause" as was being proposed.

VIII. Consideration of the question by the United Nations

75. On 8 December 2005, the General Assembly adopted resolutions 60/117 A and B without a vote; section IX of resolution 60/117 B is specifically devoted to St. Helena.

Notes

[1] Derived from information transmitted to the Secretary-General on 12 January 2006 from the United Kingdom of Great Britain and Northern Ireland under article 73 e of the Charter of the United Nations and from published sources.

[2] United Kingdom Foreign and Commonwealth Office, 20 July 2005.

[3] *St. Helena Herald*, 25 July 2003.

[4] United Kingdom Overseas Territories Department, Department for International Development, press release, 14 March 2005.

[5] *St. Helena Herald*, 9 September 2005.

[6] Ibid., 11 October 2002.

[7] Ibid., 3 June 2005.

[8] United Kingdom Overseas Territories Department, Department for International Development, press release, 14 March 2005.

[9] www.sainthelena.gov.sh.

[10] www.sainthelena.gov.sh.

[11] *St. Helena Herald*, 17 June 2005.

[12] www.sainthelena.gov.sh/lifestyle.

[13] *St. Helena Herald*, 22 April 2005.

[14] Ibid., 30 July 2004.

[15] Ibid., 15 April 2005.

[16] Information transmitted by the United Nations Development Programme on 24 January 2006.

[17] *St. Helena Herald*, 27 February 2004.

[18] http://europa-eu-un.org/articles/it/article_3725_it.htm.

[19] Derived from information transmitted to the Secretary-General on 12 January 2006 from the United Kingdom of Great Britain and Northern Ireland under article 73 *e* of the Charter of the United Nations and from published sources.

[20] Derived from information transmitted to the Secretary-General on 12 January 2006 from the United Kingdom of Great Britain ad Northern Ireland under article 73 *e* of the Charter of the United Nations and from published sources.

[21] www.sainthelena.gov.sh.

[22] Derived from information transmitted to the Secretary-General on 12 January 2006 from the United Kingdom of Great Britain and Northern Ireland under article 73 *e* of the Charter of the United Nations and from published sources.

[23] Ibid.

[24] *St. Helena Herald*, 25 November 2005.

[25] *St Helena Independent*, 18 November 2005.

[26] Ibid.

[27] *St. Helena Herald*, 10 June 2005.

[28] Ibid., 24 June 2005.

[29] Ibid., 2 September 2005.

[30] www.sthelenaonline.com.

[31] *St. Helena Herald*, 15 April 2005.

[32] Ibid., 7 October 2005.

[33] Ibid., 24 June 2005.

[34] Ibid., 27 January 2006.

[35] Ibid., 25 February 2005.

[36] Ibid., 8 July 2005.

[37] Ibid., 15 July 2005.

[38] Ibid., 27 January 2006.

[39] Ibid., 2 September 2005.

[40] Ibid., 25 November 2005.

[41] Ibid., 20 and 27 January 2006.

[42] Derived from information transmitted to the Secretary-General on 12 January 2006 from the United Kingdom of Great Britain and Northern Ireland under article 73 *e* of the Charter of the United Nations and from published sources.

[43] *St. Helena Herald*, 27 January 2006.

[44] Ibid., 27 January 2006.

[45] Ibid., 4 March 2005.

[46] www.sthelenaonline.com, 16 January 2006.

[47] Derived from information transmitted to the Secretary-General on 12 January 2006 from the United Kingdom of Great Britain and Northern Ireland under article 73 *e* of the Charter of the United Nations and from published sources.

[48] *St. Helena Herald*, 7 October 2005.

[49] www.sainthelena.gov.sh.

[50] *St. Helena Herald*, 27 January 2006.

[51] St. Helena Strategic Review 2000-2010, St. Helena Government, September 1999.

[52] *St. Helena Herald*, 23 December 2005.

[53] Ibid., 2 December 2005.

[54] Foreign and Commonwealth Office, press release, 12 September 2002.

[55] www.the-islander.org.ac.

[56] *St. Helena Herald*, 23 December 2005.

[57] Ibid., 27 January 2006.

[58] Derived from *Tristan da Cunha* (1988) by Brian Baldwin, Administrator of Tristan da Cunha.